

**POMERANTZ HAUDEK BLOCK
GROSSMAN & GROSS LLP**

Stanley M. Grossman
Patrick V. Dahlstrom
Joshua B. Silverman
100 Park Avenue
New York, New York 10017
Telephone: (212) 661-1100
Facsimile: (212) 661-8665

COTCHETT, PITRE & McCARTHY

Joseph W. Cotchett
Mark C. Molumphy
Nancy L. Fineman
Stuart G. Gross
840 Malcolm Road, Suite 200
Burlingame, California 94010
Telephone: (650) 697-6000
Facsimile: (650) 697-0577

Attorneys for James Conn

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

**LIFE ENRICHMENT FOUNDATION,
individually and on behalf of all others
similarly situated,**

Plaintiff,

-against-

**MERRILL LYNCH & CO., INC., E.
STANLEY O'NEAL, AHMASS L.
FAKAHANY, GREGORY J. FLEMING, and
JEFFREY N. EDWARDS.**

Defendants.

Civil Action No. 07 Civ. 09633 (LBS)

[Additional captions on succeeding pages.]

CERTIFICATE OF SERVICE

**MICHAEL J. SAVENA, Individually and on
behalf of all others similarly situated,**

Plaintiff,

Civil Action No. 07 Civ. 09837 (LBS)

-against-

**MERRILL LYNCH & CO., INC., E.
STANLEY O'NEAL, AHMASS L.
FAKAHANY, GREGORY J. FLEMING, and
JEFFREY N. EDWARDS.**

Defendants.

**GARY KOSSEFF, Individually and On
Behalf of All Others Similarly Situated,**

Plaintiff,

Civil Action No. 07 Civ. 10984 (LBS)

-against-

**MERRILL LYNCH & CO., INC., E.
STANLEY O'NEAL, AHMASS L.
FAKAHANY, GREGORY J. FLEMING, and
JEFFREY N. EDWARDS.**

Defendants.

**ROBERT R. GARBER, Individually and on
behalf of all others similarly situated,**

Plaintiff,

Civil Action No. 07 Civ. 11080 (LBS)

-against-

**MERRILL LYNCH & CO., INC., E.
STANLEY O'NEAL, AHMASS L.
FAKAHANY, GREGORY J. FLEMING, and
JEFFREY N. EDWARDS.**

Defendants.

**JAMES CONN, Individually and On Behalf
of All Others Similarly Situated,**

Plaintiff,

Civil Action No. 07 Civ. 11626 (LBS)

-against-

**MERRILL LYNCH & CO., INC., E.
STANLEY O'NEAL, JEFFREY N.
EDWARDS, LAWRENCE A. TOSI,
ARMANDO M. CODINA, VIRGIS W.
COLBERT, ALBERTO CRIBIORE,
JOHN D. FINNEGAN, JUDITH MAYHEW
JONAS, AULANA L. PETERS, JOSEPH W.
PRUEHER, ANN N. REESE, and CHARLES
O. ROSSOTTI,**

Defendants.

I, Fei-Lu Qian, hereby certify that on January 18, 2008, I electronically filed true and correct copies of the MEMORANDUM OF LAW IN FURTHER SUPPORT OF JAMES CONN'S MOTION FOR APPOINTMENT AS LEAD PLAINTIFF FOR THE FIRST REPUBLIC MERGER CLASS AND IN OPPOSITION TO OPPOSING MOTIONS FOR LEAD PLAINTIFF, and DECLARATION OF KENNETH N. KOTZ with the Clerk of the Court using the ECF system and thereby served those attorneys certified to use ECF and served the following non-ECF parties by U.S. mail, postage pre-paid:

Alfred G. Yates, Jr.
Law Office of Alfred G. Yates, Jr. PC
519 Allegheny Building
429 Forbes Avenue
Pittsburgh, PA 15219

/s Fei-Lu Qian
Fei-Lu Qian